

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA *ex rel.*
WENDY A. BAHNSEN and CAROLINA H.
FUENTES, et al.,

Plaintiffs,

v.

BOSTON SCIENTIFIC
NEUROMODULATION CORPORATION,

Defendants.

)
) Civil Action No. CV-11-1210
)
)
) FILED UNDER SEAL
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

RECEIVED

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APR 23 2012

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

UNITED STATES OF AMERICA <i>ex rel.</i> WENDY)	Civil Action No. CV-11-1210
A. BAHNSEN and CAROLINA H. FUENTES,)	
et al.,)	
)	
Plaintiffs,)	<u>FILED IN CAMERA AND</u>
)	<u>UNDER SEAL</u>
v.)	
)	
BOSTON SCIENTIFIC)	
NEUROMODULATION CORPORATION,)	
)	
Defendants.)	

**AMENDED CONSOLIDATED NOTICE OF PLAINTIFF STATES' ELECTION TO
DECLINE INTERVENTION**

Pursuant to N.J.S.A. § 2A:32C-5g(2), on behalf of itself and the plaintiff states listed below the State of New Jersey respectfully notifies the Court of its decision to decline intervention in the above-captioned action.

Pursuant to N.J.S.A. 2A:32C-6(f), The State of New Jersey and the plaintiff states pursuant to their respective statutes reserve their right to receive copies of all pleadings and motions filed in the action and copies of all deposition transcripts filed by the parties.

Additionally, the State of New Jersey and the plaintiff states pursuant to their respective statutes reserve their right to intervene at a later date upon a showing of good cause and to receive of all orders of this Court filed in this action . *Id.*

Pursuant to N.J.S.A. 2A:32C-6(c) and the plaintiff states' respective statutes, should the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, the State of New Jersey and the other plaintiff states request that the Court solicit the written consent of the State of New Jersey and the other plaintiff states before ruling or granting its approval. Counsel for New Jersey has confirmed that the attorneys representing the States of California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Minnesota, Montana, Maryland, Nevada, New Hampshire, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, Virginia, Wisconsin and the District of Columbia, have communicated their request to join in this Notice of Declination.

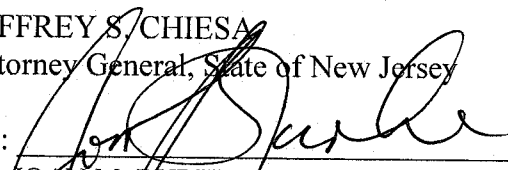
However, as to the State of Maryland, it is respectfully requested that all claims asserted on behalf of this State be dismissed with prejudice, pursuant to Md. Code Ann., Health Gen, § 2-604(a)(7).

A proposed order accompanies this notice.

Respectfully submitted,

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By:


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